

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

(916) 322-9377

February 28, 1986



ALL-COUNTY LETTER NO. 86-18

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: RECORDS RETENTION

This All-County Letter is a reminder of the legal requirements for records retention and the identification of the exceptions which require extended retention periods for certain records.

A. Public Assistance Records

The Manual of Policies and Procedures (MPP) sets forth various retention periods for Public Assistance Records. Generally, the regulations require that all public assistance (23-353), social service (10-119.2), and administrative claiming (25-815.38) records and their supporting documents be retained for three years from the date the state submits the last expenditure report to the Department of Health and Human Services (HHS). Case record material must be retained for three years after the date the last state expenditure report has been made to HHS for the period the records were last used to document eligibility. MPP Sections 23-353 through 23-356 set forth the requirements for certain records which have retention periods which vary from the general rule. While the regulations must be reviewed for a complete listing, the most common varying items are listed below. Some records require retention periods of more than three years. These include:

1. Records and their supporting documents must be retained when there is an open federal or state audit. This includes those unresolved federal audits listed on Attachment I and the State Controller's Office audits on Attachment II. Counties are to inform contractors providing social services to retain all necessary records for audits which have not been resolved/closed.
2. Records involved in pending criminal or civil litigation or court orders may require extended retention periods. In addition to cases to which the county is involved, Attachment III is a listing of court cases involving the State Department of Social Services (DSS) which necessitate extended retention of certain records.

3. County welfare warrants must be retained for five years. Warrant registers must be retained for 15 years.
4. The county shall retain Form ABCD 278L or its equivalent for a period of ten years following closure in all cases where notification to do so by the child support agency has been received.

Other records may be considered as nonessential and need not be retained in the case records. Listed below are examples of those documents which may be purged from the case records:

1. Documents or evidence (original or photocopies) provided by the recipient, such as birth certificates and divorce papers, may be purged (Manual of Policies and Procedures Section 46-001.112) provided that there is a written record of the type of evidence and its pertinent content. This notation would normally be made in the case narrative. Documents received should then be returned to the applicant/recipient.
2. Documents which were never used to document eligibility may be destroyed provided they have no potential of being used to take action on a case. For example, a note from an applicant canceling a meeting may be needed as evidence, should you determine a denial is appropriate based on noncooperation. However, once the meeting has taken place the note would be of no value and may be destroyed.
3. Records which were used to document eligibility may be destroyed provided three years have passed since the last state expenditure report for that period has been submitted to the HHS. These records must be retained longer when there are unresolved audits or court cases.

B. Food Stamp Records

There are two separate retention requirements for Food Stamp (FS) Program records. First, all issuance and program records are to be retained for a period of three years from the month of origin. Second, all fiscal and accountable documents are to be retained for three years from the date of fiscal or administrative closure. This means that records such as, but not limited to Authorization to Participate (ATP), cashier's daily reports, Notices of Change, Form FNS-250's, "Food Stamp Accountability Report" HIR cards, and tally sheets shall be retained for three years. However, any documents or records which are involved in any billing or claim shall be retained for three years from the date of fiscal or administrative closure. For example, FNS-250 Reports which do not result in a billing against the state agency shall be retained three years from the month of origin. But, FNS-250 Reports which result in a billing must be retained for three years from the date that obligations for or against the Federal Government have been liquidated. Also, any records or documents which are involved in a fiscal audit or investigation must be retained for three years from the date the audit or investigation is closed. To illustrate this point

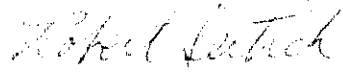
further, if an FNS-250 Report which originated prior to April 1981 had fiscal liabilities which were not settled until July 1983, that FNS-250 Report cannot be destroyed until August 1986. But, on the other hand, if the same FNS-250 Report had no fiscal involvement, it could be destroyed as of May 1984.

Some records require retention periods of more than three years. These include:

1. If the FS records are a part of an assistance case record, they must be retained in accordance with MPP Chapter 23-350. (See Part A of this letter.)
2. Records and their supporting documents for which there is an open federal or state audit must be retained. This includes those unresolved audits listed on Attachments I and II.
3. Records involved in pending criminal or civil litigation or court orders may require extended retention periods. In addition to cases in which the county is involved, Attachment III is a listing of court cases involving DSS which necessitate extended retention of certain records.

The provisions of this letter are for the fiscal purposes of DSS and do not authorize the destruction of those records which have a longer retention period required by other laws/regulations, court cases, or unresolved audits.

Again we would appreciate any comments or questions regarding records retention by submitting them to Barbara Sakamoto, Records Management, 744 P Street, M.S. 7-179, Sacramento, CA 95814, or by calling (916) 445-6239.


ROBERT T. SERTICH
Deputy Director
Administration Division

Attachments

cc: CWDA

This letter supersedes All-County Letter 85-90 dated July 23, 1985, regarding Records Retention.

FEDERAL AND OUTSIDE AUDITS

Programs Administered by
Department of Health and Human Services

Status as of: 1-6-86

Page 1 of 4

ID Number	Description	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required to Be Retained
20272	WIN	10/1/78 - 3/31/81	HHS	Alameda Contra Costa Los Angeles Sacramento San Bernardino San Francisco	\$ 581,382	A
30606-09 (follow-up of 00255)	Uncashed Warrants	1/1/77 - 12/31/79	HHS	San Francisco Santa Clara	N/A	B
60265	Cuban Refugee Assistance Costs	7/70 - 6/74	HEW (HHS)	Los Angeles	\$ 1,850,588	B
70282	BHI - Eligibility	7/73 - 3/76	HEW (HHS)	San Bernardino	\$ 68,274	B
80259	BHI - Eligibility	4/1/75 - 7/31/76	HEW (HHS)	Santa Barbara	\$ 77,911	B
70281 (60281)	BHI - Eligibility	4/1/75 - 7/31/76	HEW (HHS)	Ventura	\$ 77,051	B
50260-09	Refugee Resettlement Program	4/1/81 - 9/30/82	HHS	San Francisco Los Angeles San Diego Sacramento Orange Alameda Santa Clara	\$33,753,588	A/B

(1) If a single date is listed, it will be the date of the audit report.

(2) Federal share only unless otherwise noted.

A Case records, payment records, and audit-related materials.

B Case records, assistance claims, and audit-related materials.

FEDERAL AND OUTSIDE AUDITS

Programs Administered by
Department of Health and Human Services

Status as of: 1-6-86

Page 2 of 4

ID Number	Description	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required to Be Retained
10262*	Public Assistance Adm. Costs (Resolution of SCO Audit)	7/1/75 - 12/3/78	HHS	Los Angeles San Diego Santa Clara Fresno San Bernardino	\$ 2,278,142	A/B
50267	Food Stamp Program Costs	4/1/69 - 6/30/74	HHS	San Bernardino	\$ 414,455(3)	C
50268	included in cost allo- cation plan	3/1/69 - 6/30/74	HHS	San Diego	\$ 566,178(3)	C
50271	disallowed by HHS	7/1/68 - 6/30/74	HHS	San Joaquin	\$ 237,322(3)	C
20144	"	7/1/67 - 12/31/70	HHS	38 Counties(4)	\$ 3,279,707(3)	C
50250	"	1/1/71 - 3/31/74	HHS	San Mateo	\$ 52,400(3)	C
50266	"	1/1/67 - 6/30/74	HHS	Los Angeles	\$ 1,773,081(3)	C
50262	"	7/1/67 - 6/30/74	HHS	Kern	\$ 179,484(3)	C
50263	"	7/1/67 - 6/30/74	HHS	Tulare	\$ 137,556(3)	C

- (1) If a single date is listed, it will be the date of the audit report.
 (2) Federal share only unless otherwise noted.
 (3) Original exception amounts shown. In most cases, final amounts should be substantially smaller.
 (4) See Attachment IA.
 A Case records, payment records, and audit-related materials.
 B Case records, assistance claims, and audit-related materials.
 C Administrative claims and audit-related materials.

* New from ACL 85-90.

FEDERAL AND OUTSIDE AUDITSFood Stamp Program
USDA/FNS

Status as of: 1-6-86

Page 3 of 4

ID Number	Description	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required to Be Retained
50264	"	1/1/71 - 9/30/71	HHS	31 Counties ⁽⁵⁾	\$ 1,428,838 ⁽³⁾	C
60274 (50274)	"	1/1/67 - 6/30/74	HHS	San Francisco	\$ 216,900 ⁽³⁾	C
10273	Food Stamp Certification Costs	10/1/71 - 6/30/72	HHS	34 Counties ⁽⁶⁾	\$ 4,290,534	C
2716- 26-SF	Food Stamp Audit Certification Errors	11/77 - 1/78	USDA/OA	Alameda	\$123,154.68	D
2714- 260-SF	Food Stamp Audit Cash and Coupons	11/72 - 3/74	USDA/OA	Los Angeles	\$ 93,451.00	D
2744- 104	Food Stamp Investigation	10/19/77	USDA/OIG	Madera	\$ 37,607.00	D
2744- 77-SF	Food Stamp Investigation SAEOC	5/10/75 - 5/12/75 (2 days)	USDA/OIG	Sacramento	\$ 16,673.00	D
27642- 1-HY	Food Stamp Audit Issuance and Redemption	2/81 - 1/82	USDA/OA	San Bernardino	\$ 412.00	E

(1) If a single date is listed, it will be the date of the audit report.

(2) Federal share only unless otherwise noted.

(3) Original exception amounts shown. In most cases, final amounts should be substantially smaller.

(5) See Attachment IB.

(6) See Attachment IC.

C Administrative claims and audit-related materials.

D Retain Food Stamp Reports, FNS-250.

E Retain Food Stamp fiscal records.

FEDERAL AND OUTSIDE AUDITSFood Stamp Program
USDA/FNSStatus as of: 1-6-86
Page 4 of 4

ID Number	Description	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required to Be Retained
2714- 53-SF	Food Stamp Audit Issuance Losses	7/70 - 4/71	USDA/OIG	San Francisco	\$ 3,761.00	D
2714- 358-SF	Food Stamp Audit Eligibility	4/75 - 6/75	USDA/OA	San Francisco	\$806,800.00	E
2716- 11-SF	Food Stamp Audit Overpayments	9/76 - 5/77	USDA/OA	San Francisco	\$587,000.00	F
2744- 61-SF	Food Stamp Investigation	1/23/76	USDA/OA	San Francisco	\$ 5,344.00	E
2747- 8-SF	Food Stamp Investigation	8/30/76	USDA/OIG	San Francisco	\$ 1,264.50	D
2749- 19-SF	Food Stamp Investigation	12/24/74	USDA/OIG	San Francisco	\$ 1,923.00	D
2799- 13-SF	Food Stamp Audit of Issuance Operations of CAHEED	7/71 - 8/78	USDA/OIG	San Francisco	\$ 7,626.00	D
2714- 59-SF	Food Stamp Unreconciled Records	8/17/81	USDA/OIG	Santa Clara	\$52,768.00	D
2744- 98-SF	Food Stamp Investigation	7/22/76	USDA/OA	Santa Clara	\$ 999.95	E
2744- 103-SF	Food Stamp Investigation	6/23/77	USDA/OIG	Santa Clara	\$ 1,394.00	D
2744- 62-SF	Food Stamp Investigation	1/9/75	USDA/OA	Tulare	\$10,332.70	E

(1) If a single date is listed, it will be the date of the audit report.

(2) Federal share only unless otherwise noted.

D Retain Food Stamp Reports, FNS-250.

E Retain Food Stamp fiscal records.

F All records identified by the audit.

AUDIT REPORT #20144 (7/1/67 - 12/31/70)
Original exception amounts shown. In most
cases, final amounts will be substantially smaller.

<u>County</u>	<u>Federal Funds Questioned</u>
Alameda	\$ 272,721
Amador	776
Butte	33,294
Calaveras	1,059
Contra Costa	157,837
El Dorado	16,189
Fresno	139,105
Glenn	1,368
Humboldt	925
Kern	164,468
Kings	22,131
Lake	7,946
Los Angeles	995,435
Madera	28,212
Marin	17,941
Merced	23,693
Monterey	42,278
Napa	8,192
Orange	89,040
Plumas	2,784
Riverside	13,929
Sacramento	180,955
San Benito	3,182
San Bernardino	138,978
San Francisco	105,824
San Joaquin	106,506
San Luis Obispo	13,630
San Mateo	38,867
Santa Barbara	38,450
Santa Clara	291,439
Santa Cruz	49,413
Sonoma	43,889
Stanislaus	86,769
Tehama	5,529
Tulare	48,941
Tuolumne	8,644
Ventura	66,209
Yolo	13,159
TOTAL	<u>\$3,279,707</u>

AUDIT REPORT #50264 (1/1/71 - 9/30/71)
Original exception amounts shown. In most
cases, final amounts should be substantially smaller.

<u>County</u>	<u>Federal Funds Questioned</u>
Alameda	\$ 244,351
Amador	951
Butte	14,950
Calaveras	1,814
Contra Costa	75,271
El Dorado	3,406
Fresno	138,238
Glenn	1,622
Humboldt	776
Kings	31,437
Lake	8,216
Madera	17,264
Marin	29,855
Merced	45,688
Monterey	37,248
Napa	6,538
Orange	123,182
Placer	777
Plumas	2,515
Sacramento	174,891
San Benito	4,975
San Luis Obispo	14,202
Santa Barbara	35,001
Santa Clara	245,885
Santa Cruz	26,774
Siskiyou	824
Sonoma	71
Stanislaus	58,320
Tehama	2,269
Tuolumne	4,410
Ventura	77,117
TOTAL	<u>\$1,428,838</u>

AUDIT REPORT #10273 (10/1/71 - 6/30/72)

<u>County</u>	<u>Federal Funds Questioned</u>
Alameda	\$ 224,577
Calaveras	265
Contra Costa	105,124
Del Norte	3,853
Fresno	81,951
Humboldt	23,999
Imperial	14,328
Lassen	2,163
Los Angeles	2,762,983
Madera	8,308
Marin	29,446
Modoc	394
Mono	139
Monterey	36,784
Nevada	6,574
Orange	100,158
Placer	25,544
Riverside	91,787
Sacramento	186,752
San Benito	4,660
San Francisco	175,369
San Luis Obispo	30,511
San Mateo	37,359
Santa Barbara	61,277
Santa Clara	160,168
Shasta	14,988
Siskiyou	6,410
Solano	22,449
Sonoma	24,361
Stanislaus	21,806
Tehama	2,228
Trinity	1,258
Yolo	15,123
Yuba	7,438
TOTAL	<u>\$4,290,534</u>

STATE CONTROLLER'S OFFICE (SCO) AUDITS

Unresolved Audits

The counties on the following lists have unresolved SCO audits. All records pertaining to these audit periods should be retained by the counties until final resolution has been made pertinent to all protested/appealed audit exceptions. The audits are listed in alphabetic order by county. For those counties having more than one unresolved audit, there will be an entry for each audit.

<u>County</u>	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
Alameda	7/78 - 6/81	8/26/83	\$ 6,344,452
Alpine*	7/80 - 6/84	12/13/85	7,217
Amador*	7/80 - 6/84	12/20/85	41,931
Colusa	7/78 - 6/83	6/29/84	46,904
Contra Costa	7/79 - 6/80	1/22/82	665,098
Contra Costa	7/80 - 6/83	10/9/84	2,324,721
El Dorado	7/79 - 6/82	7/29/83	72,077
Fresno	7/80 - 6/82	9/30/83	382,821
Glenn	7/75 - 3/78	8/3/79	322,197
Glenn*	4/78 - 6/81	4/22/83	35,076
Humboldt	7/78 - 6/81	9/2/83	65,058
Imperial*	7/80 - 6/84	10/4/85	225,046
Kern	7/79 - 6/82	8/5/83	1,697,961
Los Angeles	7/80 - 6/82	12/7/84	19,773,982
Los Angeles Administrative	7/77 - 6/80	6/25/82	21,017,042
Los Angeles Adoptions	7/76 - 6/79	4/10/81	154,619
Los Angeles Adoptions	7/79 - 6/82	8/26/83	719,612
Madera	1/78 - 6/80	7/17/81	25,439

*New from ACL 85-90.

ATTACHMENT II

<u>County</u>	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
Marin	7/78 - 6/82	1/6/84	\$ 1,398,524
Mariposa*	7/80 - 6/84	12/13/85	103,912
Mendocino	4/77 - 6/79	11/20/81	486,272
Mendocino	7/79 - 6/82	8/17/84	191,014
Monterey	7/80 - 6/83	3/22/85	2,126,760
Napa	7/78 - 6/82	9/23/83	46,922
Orange	7/79 - 6/81	2/18/83	1,555,045
Orange*	7/81 - 6/83	9/19/85	607,274
Placer	7/79 - 6/82	3/2/84	123,213
Riverside	7/77 - 6/79	8/29/80	151,830
Riverside	7/79 - 6/80	11/24/81	109,341
Riverside	7/80 - 6/82	7/11/84	230,604
Sacramento	7/79 - 6/81	6/10/83	275,785
Sacramento	7/81 - 6/83	3/8/85	1,055,916
San Benito	7/78 - 6/80	12/18/81	124,064
San Bernardino	7/80 - 6/83	11/21/84	505,374
San Bernardino	7/79 - 6/80	5/28/82	354,720
San Diego	7/78 - 6/80	9/18/81	1,032,224
San Diego	7/80 - 6/82	9/5/84	1,176,817
San Francisco	1/77 - 6/79	1/30/81	9,745,728
San Francisco	7/79 - 6/81	2/25/83	5,656,263
San Joaquin	10/78 - 6/81	3/25/83	654,877
San Joaquin	7/81 - 6/83	1/16/85	452,065

*New from ACL 85-90.

ATTACHMENT II

<u>County</u>	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
San Mateo	7/80 - 6/83	2/1/85	\$ 673,867
Santa Barbara	7/80 - 6/83	3/15/85	109,303
Santa Clara	4/79 - 6/81	7/23/82	2,634,213
Santa Clara*	7/81 - 6/83	12/20/85	947,129
Santa Cruz	7/80 - 6/83	11/7/84	68,358
Siskiyou	7/79 - 6/82	2/24/84	170,261
Sonoma	7/79 - 6/82	2/10/84	144,033
Stanislaus	4/78 - 6/80	3/5/82	141,579
Stanislaus	7/80 - 6/83	4/13/84	15,395
Sutter	7/78 - 6/82	3/23/84	19,159
Tehama	7/77 - 6/81	3/11/83	9,563
Tuolumne	1/76 - 6/78	5/9/80	57,507
Tulare	10/78 - 6/81	1/7/83	248,002
Ventura	7/79 - 6/81	10/22/82	2,112,795
Yolo	1/77 - 6/79	3/21/80	177,122
Yolo	7/79 - 6/84	5/17/85	293,557
Yuba*	7/80 - 6/84	6/21/85	21,845

*New from ACL 85-90.

STATE CONTROLLER'S OFFICE (SCO) AUDITS

Appealed Audits

<u>County</u>	<u>Audit Period</u>	<u>Appeal Date</u>	<u>Exception Amount</u>
Alameda	7/77 - 6/78	10/5/83	\$3,015,877
Contra Costa	7/76 - 6/77	4/16/79	1,371,611
Contra Costa	7/77 - 6/79	3/25/82	1,929,101
Humboldt	4/75 - 9/78	8/16/83	102,593
Los Angeles	7/76 - 6/77	9/24/82	4,453,426
Los Angeles BHI	7/69 - 6/76	1/20/84	135,873
Los Angeles BHI	7/69 - 6/75	9/8/83	293,349
Merced	4/78 - 6/81	8/19/83	188,468
San Mateo	7/76 - 6/78	10/9/80	293,237
Shasta*	10/77 - 6/80	7/15/85	318,863
Solano*	10/78 - 6/82	6/26/85	1,750,653
Sutter	10/75 - 9/78	11/17/80	154,283

*New from ACL 85-90.

COURT CASES

There are several court cases which require extended retention including the following:

<u>CASE</u>	<u>ACL</u>	<u>ACIN</u>	<u>RECORDS COVERED</u>	<u>PERIOD COVERED</u>
<u>North Coast Coalition v. Woods</u>	80-64	I-35-81 I-49-80	AFDC	8-1-76 - 9-30-80
<u>Welfare Recipients League v. Woods</u>	84-15 82-15 81-58		AFDC	2-19-82 - to date
<u>Baker v. Prod</u>	85-52 83-14	I-32-83 I-21-83	AFDC FS	2-1-83 - 5-13-85
<u>Wright v. Woods</u>	83-43 78-18		AFDC	7-18-76 - 12-31-80
<u>Green v. Obledo</u>	84-13 83-47	I-38-82 I-88-81	AFDC	1-1-74 - 11-9-81
<u>Farias v. Woods</u>	83-66 83-50 82-39	I-132-83 I-26-83	AFDC	2-1-78 - the date on which they were transferred to AFDC-FC or became ineligible. The date of transfer may be later than 1-7-80 because <u>Miller v. Youakim</u> regulations were implemented on a flow basis.
<u>Angus v. Woods</u>	83-62 80-73		AFDC	9-1-77 - 12-31-80
<u>Wood v. Woods</u>	83-130 83-91	I-134-80 I-26-80	AFDC	1-1-80 - 9-30-81
<u>Vaessen v. Woods</u>	80-67	I-150-82	AFDC, RCA & ECA PROGRAMS	1-1-79 - to date
<u>Miller v. Deukmejian</u>	83-114	I-123-83	AFDC, RCA & ECA PROGRAMS	10-1-83 - 10-19-83
<u>Williams v. Woods</u>	84-56 84-45 84-40	I-40-84	AFDC	11-12-78 - 5-31-84

<u>CASE</u>	<u>ACL</u>	<u>ACIN</u>	<u>RECORDS COVERED</u>	<u>PERIOD COVERED</u>
<u>Miller v. Woods</u> <u>and Community</u> <u>Services for the</u> <u>Disabled v. Woods</u>	84-58	I-37-84	IHSS	4-1-79 - 4-30-84
<u>Coalition of</u> <u>California</u> <u>Welfare Rights</u> <u>Organizations v.</u> <u>McMahon</u>	84-90	I-53-84	AFDC, RCA & ECA PROGRAMS	5-23-84 - to date
<u>Lowry v. Obledo</u>	85-53	I-146-81	AFDC	2-1-77 - 8-31-82
<u>Shaw v. McMahon</u>	85-25 84-109		AFDC	10-1-84 - 4-30-85